



Express Mail No. EM 061 020 159 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Monteiro et al.

Serial No.: 09/110,369

Group Art Unit: 2414

Filed: July 6, 1998

Examiner: T. Peeso

For: MULTICASTING METHOD AND  
APPARATUS

Attorney Docket ~~Match & Return~~  
~~Match 0050-005~~

CONFIRMATION OF SMALL ENTITY STATUS

**OK to Enter  
RECEIVED**

Assistant Commissioner for Patents  
BOX ISSUE FEE  
Washington, D.C. 20231

Sir:

MAR - 2 1999

MAR 7 1999

Office of Patent Publication  
Director's Office

In response to the Notice of Allowance dated  
December 21, 1998, applicants submit herewith copies of:

- 1) Continuation application form filed in connection with this application, which indicated at paragraph 10 that a Small Entity Statement was filed in the prior application, and such status is still proper and desired; and
- 2) Request to Establish Status As A Small Entity And Request for Refund Pursuant To 37 C.F.R. § 1.28(a) as submitted in this application's parent application Serial No. 08/644,072; and
- 3) Verified Statement Claiming Small Entity Status as submitted in this application's parent application Serial No. 08/644,072.

Since it is believed that applicants are entitled to Small Entity Status in this application, the issue fee for this application is believed to be \$ 605.00.

No fee is believed to be due for this submission.  
Should any fees be required, please charge such fees to Pennie  
& Edmonds LLP deposit account no. 16-1150.

Respectfully submitted,



ANDREW SANDERS  
Reg. No. 40,433

Date March 22, 1999

FR FRANCIS E. MORRIS 24,616  
Francis E. Morris (Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036  
(212) 790-9090

Enclosure



PENNIE &amp; EDMONDS LLP DOCKET NO. 8850-0004-999

Express Mail No.: EM 490 491 774 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner T. PeesoArt Unit 2764Assistant Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 08/644,072 filed on May 9, 1996.

of Antonio M. Monteiro and James F. Butterworth  
(inventor(s) currently of record in prior application)

for MULTICASTING METHOD AND APPARATUS  
(title of invention)

1. ☒ The filing fee is calculated below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	1	-20	0	\$22.00 each	0.00
Independent	1	-3	0	\$82.00 each	0.00
Basic Fee					790.00
Multiple Dependency Fee If Applicable (\$270.00)					
Total					790.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					395.00
Total Filing Fee					\$ 395.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a ☒ continuation, ☐ division, of application no. 08/644,072, filed May 9, 1996, and such application is hereby incorporated by reference.

- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 4b. ☐ New formal drawings are enclosed.
- 4c. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no.  $\phi\phi$  filed on  $\phi\phi$  in  $\phi\phi$  is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no.  $\phi\phi$ , filed  $\phi\phi$ .
6. ☒ The prior application is assigned of record to Netcast Communications Corp., 9 DesBrosses Street, New York, New York 10013 (Reel/Frame 8080/0937).
- 7a. ☒ The Power of Attorney appears in the original papers in the prior application no. 08/644,072, filed May 9, 1996.
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no.  $\phi\phi$ , filed  $\phi\phi$  is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no.  $\phi\phi$ , filed on  $\phi\phi$  be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no.  $\phi\phi$  is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no.  $\phi\phi$  is the same as the content of the computer readable form submitted in application no.  $\phi\phi$ .
10. ☒ A Small Entity Statement was filed in the prior application, and such status is still proper and desired.
11. ☒ Please cancel original claims 2-37 in the prior application without prejudice before calculating the filing fee.

Respectfully submitted,



ANDREW SANDRAS  
REG. NO. 40,433

July 6, 1998  
(date)

FRANK E. MORRIS 24.615  
Frank E. Morris (Reg No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, NY 10036

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of

MONTEIRO *ET AL.*

Serial No.: 08/644,072

Filed: May 9, 1996

For: MULTICASTING METHOD AND  
APPARATUS

Attorney Docket No.: 8850-003



Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Pennie & Edmonds  
: 1155 Avenue of the Americas  
New York, NY 10036-2711

**REQUEST TO ESTABLISH STATUS AS A SMALL ENTITY AND  
REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28(a)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Refund Section, Accounting Division,  
Office of Refund

Sir:

A filing fee in excess of the required fee has been paid in connection with the subject patent application. In particular, a fee of \$750.00 has been paid. An assignment of the application to Netcast Communications Corporation, having a principal place of business at 9 DesBrosses Street, New York, NY, is being submitted to the Honorable Commissioner of Patents and Trademarks concurrently herewith. Netcast Communications Corp. qualifies as a small entity under 37 C.F.R. 1.9 (d), (f) and

**EXPRESS MAIL CERTIFICATION**

"Express Mail" Label No. EM 074 007 505 US Date of Deposit July 8, 1996  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**MICHAEL VIGUIE**

(Type or print name of person mailing paper or fee)

(Signature of person mailing paper or fee)

PENY3-496620.1

1.27(c); a Verified Statement Claiming Small Entity Status in the above-identified case is also being filed concurrently herewith. Therefore, a fee of only \$375.00 is required.

Accordingly, please refund 50% of the filing fee by crediting \$375 to Deposit Account No. 16-1150. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: July 3, 1996

  
Francis E. Morris (Reg. No.) 24,615

**PENNIE & EDMONDS**  
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